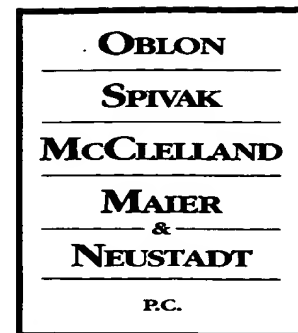


Image 1A51



Docket No.: 210149US0PCT

ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

NORMAN F. OBLON  
(703) 413-3000  
NOBLON@OBLON.COM

RICHARD L. CHINN, PH.D.  
(703) 413-3000  
RCHINN@OBLON.COM

RE: APPLICATION SERIAL NO.: 09/868,920  
APPLICANTS: Hiromitsu HAYASHI, et al.  
FILING DATE: July 25, 2001  
FOR: SOFTENER COMPOSITION  
EXAMINER: HARDEE, J.R.  
GAU: 1751

SIR:

Attached hereto for filing are the following papers:

**Letter to the Commissioner;  
Original Signed Declaration Under 37 C.F.R. §1.132 (3pp.)**

Our check in the amount of \$ -0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon

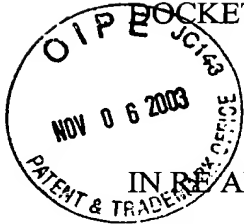
Registration No. 24,618



22850

(703) 413-3000 (phone)  
(703) 413-2220 (fax)

Richard L. Chinn, Ph.D.  
Registration No. 34,305



POCKET NO: 210149US0PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

HIROMITSU HAYASHI, ET AL.

SERIAL NO: 09/868,920

FILED: JULY 25, 2001

FOR: SOFTENER COMPOSITION

:

: EXAMINER: HARDEE, J. R.

:

: GROUP ART UNIT: 1751

:

LETTER

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants submit herewith the original signed Declaration Under 37 C.F.R. §1.132, of the Declaration filed with the U.S. Patent and Trademark Office on October 14, 2003, in the above-identified application.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Norman F. Oblon  
Attorney of Record  
Registration No. 24,618

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 08/03)  
NFO/RLC/cja

Richard L. Chinn, Ph.D.  
Registration No. 34,305



IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Hiromitsu HAYASHI et al.

For: Softener Composition

Serial No.: 09/868 920

Group: 1751

Filed: July 25, 2001

Examiner: Hardee, John R

Attorney docket

No.: 210149US0PCT

The Commissioner of Patents and Trademarks

Washington, D.C. 20231

**DECLARATION UNDER 37 CFR 1.132**

I, Noriko YAMAGUCHI, hereby declare as follows:

I am one of the co-inventors of the invention as described and claimed in the above identified patent application.

I have carried out additional tests by preparing compositions in the same way as shown in Product 4 of the present invention of Table 1 and Product 13 of the present invention of Table 4 of the instant patent application and then Comparative Products 7 and 8 by using components shown in Table 5. The obtained composition were tested in view of smell of clothes after drying or worn and softening performance in the same way as shown in Example 3 of the instant patent application excepting for using the below shown rating and comparing invention products with comparative products (control). Test results are shown in Table 5.

Table 5

			Tested Products			
			composition 1	composition 2	composition 3	composition 4
			Invention product 4 of Table 1	Comparative product 7	Invention product 13 of Table 4	Comparative product 8
Softener Composition	Component (wt%)	(a-3)	15	16.5		
		(a-6)			12	14
		(b-2)	1.5		2	
		(c-1)	5	5		
		(d-1)			5	5
		(e-1)	2	2		
		(e-2)			5	5
		(f-1)	1	1		
		(f-4)			2	2
		(g-1)	1	1		
		(g-2)	100 ppm	100 ppm	100 ppm	100 ppm
		(g-3)	3	3		
		(h-1)	10 ppm	10 ppm	10 ppm	10 ppm
		(h-2)	50 ppm	50 ppm		
		(h-3)	0.1	0.1	0.3	0.3
		deionized water	balance	balance	balance	balance
	Total	100	100	100	100	
pH (20°C)		3.5	3.5	2.5	2.5	
Smell	Clothes after drying		○	Control	○	Control
	Clothes after worn		○	Control	○	Control
Softening Performance			○	Control	○	Control

## Rating of deodorizing effect

Judging with the below shown criteria, a mean value was calculated. The mark ○ is assigned to a mean value is +, △ is assigned to a mean value is 0 and × is assigned to a mean value is -.

+1 : The shirt treated by composition 1 smelled less than the shirt treated by composition 2. The shirt treated by composition 3 smelled less than the shirt treated by composition 4.

0 : The shirt treated by composition 1 smelled almost in the same way as the shirt treated by composition 2. The shirt treated by composition 3 smelled in the same was as the shirt treated by composition 4.

-1 : The shirt treated by composition 2 smelled less than the shirt treated by composition 1. The shirt treated by composition 4 smelled less than the

shirt treated by composition 3.

#### Rating of softness

Judging with the below shown criteria, a mean value was calculated. The mark ○ is assigned to a mean value is +, △ is assigned to a mean value is 0 and × is assigned to a mean value is -.

+1 : The cotton towel treated by composition 1 is softer than that treated by composition 2. The cotton towel treated by composition 3 is softer than that treated by composition 4.

0 : The cotton towel treated by composition 1 is almost as soft as that treated by composition 2. The cotton towel treated by composition 3 is almost as soft as that treated by composition 4.

-1 : The cotton towel by composition 2 is softer than that treated by composition 1. The cotton towel by composition 4 is softer than that treated by composition 3.

I hereby declare that all statements made herein of any own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: Oct/07/2003

Noriko Yamaguchi

Noriko YAMAGUCHI